

Donald N. David (DD 5222)
Brian A. Bloom (BB 5722)
Jeremy A. Shure (JS 0490)
AKERMAN SENTERFITT LLP
335 Madison Avenue, Suite 2600
New York, New York 10017
Telephone: 212.880.3800
Facsimile: 212.880.8965

Attorneys for Defendants and Counterclaimants

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

GREYSTONE CDE, LLC,
*Plaintiff-Counterclaim
Defendant,*

- against -

SANTE FE POINTE, L.P.,
SANTE FE POINTE MANAGEMENT, LLC
RANT LLC, and
THEOTIS F. OLIPHANT,

*Defendants-
Counterclaimants*

- against -

GREYSTONE SERVICING CORPORATION,
INC.,

*Additional Counterclaim
Defendant.*

Civil Case No: 07-CV.8377 (RPP)

**DECLARATION OF
DONALD N. DAVID**

I, Donald N. David, Esq., hereby declare the following under the penalty of perjury:

1. I am a Shareholder of Akerman Senterfitt LLP, counsel for Defendants-Counterclaimants, Sante Fe Pointe, L.P., Sante Fe Pointe Management, LLC, Rant LLC, and Theotis F. Oliphant (collectively, "The Oliphant Parties") in the above captioned action.

2. I am familiar with the proceedings in this case. I make this declaration based on my personal knowledge of the facts and documents set forth herein and in support of the Oliphant Parties' motion to transfer the instant proceeding to the United States District Court for the Northern District of California.

3. Attached as Exhibits hereto are true and accurate copies of the following:

Exhibit A: Order Denying the Oliphant Parties' Motion to Transfer Venue, dated February 4, 2008. *Sante Fe Pointe, LP, et al v. Greystone Servicing Corp., Inc. et al*, Case No. C-07-5454 JCS (United States District Court, Northern District of California);

Exhibit B: Notice of Appointment of Mediator, dated February 25, 2008;

Exhibit C: Opinion and Order, dated February 20, 2008, denying the Oliphant Parties' motion to stay and Plaintiff Greystone CDE, LLC's motion for default judgment;

Exhibit D: Answer and Counterclaims, dated March 3, 2008;


Exhibit E: Endorsed Memo of this Court, dated February 22, 2008;

Exhibit F: February 25, 2008 Letter from Jeremy A. Shure;

Exhibit G: February 25, 2008 Letter from Stephen Harnik;

I declare under penalty of perjury that the foregoing is true and correct.

Dated: New York, New York
March 3, 2008


Donald N. David (DD 5222)
AKERMAN SENTERFITT LLP
335 Madison Avenue, 26th Floor
New York, NY 10017
Tel: (212) 880-3800
Fax: (212) 880-8965